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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

CLAUDIA CRUZ-AGUILAR,) Case No. 2:15-cv-01965-APG-CWH
Plaintiff, vs.	ORDER
WAL-MART SUPERCENTER, d/b/a Wal-Mart Stores, Inc., Defendants.	
)

On May 4, 2016, this Court conducted a hearing on Defendant's emergency motion for protective order (doc. # 16).¹ See Doc. # 34. Defendant, in its motion, seeks to withhold, among others, a list of prior slip and fall cases that occurred at Defendant's premises. Defendant objects to the release of the list on the grounds that Plaintiff's request is overbroad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. In Plaintiff's response to Defendant's motion (doc. # 21), and at the May 4th hearing, Plaintiff argues that the information sought is relevant and discoverable, as evidenced by case law. The Court directed Defendant to submit the list directly to this Court's chambers for <u>in camera review</u> to determine whether the list is relevant, overbroad, unduly burdensome, or inadmissible.

Following review of the list, the Court finds that while portions of the list may be tangentially relevant, allowing the overbroad discovery plaintiff seeks would not be proportional to the needs of the case. Defendant has already provided an incident of another slip and fall in the same aisle and

¹ The Court also considered Plaintiff's motion for leave to file a sur-reply (doc. # 24) at the May 4th hearing. <u>See</u> Doc. # 34.

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arising from liquid on the floor, which is relevant to the claim in this matter. Accordingly, the Court concludes that Plaintiff is not entitled to the incidence list at issue.

DATED: May 6, 2016

C.W. Hoffman, Jr United States Magistrate Judge